

Release
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**SUMMARY OF CASES ACCEPTED
DURING THE WEEK OF JUNE 15, 1998**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-72 People v. Armigo, S069539. (D026393; 61 Cal.App.4th 1373.)
Petition for review after the Court of Appeal affirmed judgments of conviction of criminal offenses. This case presents an issue, concerning whether there is a crime of conspiracy to commit second degree murder, which is related to an issue presented in People v. Cortez, S055733. (See #96-146.)

#98-73 People v. Daniels, S069728. (H016248; 62 Cal.App.4th 1529.)
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents issues, concerning the admissibility of DNA evidence, which are related to issues before the court in People v. Soto, S044043. (See #95-35.)

#98-74 People v. Gonzalez, S069308. (B103468; 61 Cal.App.4th 461.)
Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents an issue, concerning the identification of necessarily included offenses, which is related to one pending before the court in People v. Ortega, S055216. (See #96-150.)

#98-75 People v. Maupin, S069616. (A079196; 62 Cal.App.4th 290.)
Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning whether a defendant may move to strike a prior conviction allegation based on Boykin-Tahler error in the prior proceeding, which is related to an issue before the court in People v. Allen, S054125 (#97-161), People v. Superior Court (Branham), S063653 (#97-162), and People v. Gainey, S064917 (#97-163).

#98-76 Mitchell v. Asbestos Corp., S069596. (A076593; 62 Cal.App.4th 200.) Petition for review after the Court of Appeal reversed a judgment in a civil action. This case concerns whether a plaintiff's action for personal injury arising from mesothelioma is barred by the statute of limitations when the plaintiff had filed an action for personal injuries from asbestosis more than a year earlier. (See Code Civ. Proc., § 340.2; San Francisco Superior Court, General Order No. 27.)

#98-77 In re Marriage of Pendleton and Fireman, S070018. (B113293; 62 Cal.App.4th 751.) Petition for review after the Court of Appeal reversed an order in a marital dissolution action. This case concerns whether premarital agreements waiving spousal support are contrary to public policy and per se unenforceable.

#98-78 Regents of University of California v. Superior Court, S069688. (A078867.) Unpublished opinion. Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case concerns whether the Bagley-Keene Open Meeting Act provides a cause of action for declaratory relief as to past acts of a state entity, whether the limitations period for an action for nullification may be equitably tolled, and, if so, whether the facts preclude such tolling. (See Gov. Code, § 11130 et seq.)